

September 16, 2019

**PRIVILEGED AND CONFIDENTIAL ATTORNEY WORK PRODUCT**

**Via FedEx**

National FOIA Office  
U.S. Environmental Protection Agency  
1200 Pennsylvania NW, Room 5315  
Washington, DC 20460

**Re: Freedom of Information Act Request  
CalMat Co.**

Dear Sir or Madam:

Pursuant to the Freedom of Information Act ("FOIA"), on behalf of our client CalMat Co. ("CalMat"), we request that the United States Environmental Protection Agency ("EPA") provide the following documents and/or records:

- 1) All documents and records relating to the property located at 7361 Laurel Canyon Boulevard, North Hollywood, California, 91605 (the "Hewitt Site"), including but not limited to the following:
  - a) All internal communications within the EPA relating to the Hewitt Site;
  - b) All communications exchanged between the EPA and Los Angeles By-Products Co., a California corporation ("LABP"), relating to the Hewitt Site; and
  - c) All communications exchanged between the EPA and any other parties relating to the Hewitt Site.
- 2) All documents and records relating to LABP, including but not limited to the following:
  - a) All internal communications within the EPA relating to LABP;
  - b) All communications exchanged between the EPA and LABP; and

Shoshana E. Bannett  
Terry W. Bird  
Ashley D. Bowman  
Joel E. Boxer  
Paul S. Chan  
Julia B. Cherlow  
Joyce J. Choi  
David J. Conklin

Mark T. Drooks  
Tristan S. Favro  
Thomas R. Freeman  
Doug A. Fretty  
Benjamin N. Gluck  
Peter A. Goldschmidt  
Elliot C. Harvey Schatmeier  
David I. Hurnitz

Jon M. Jackson  
Patricia H. Jun  
Grace W. Kang  
Emerson H. Kim  
Nithin Kumar  
Christopher J. Lee  
Gary S. Lincenberg  
Vincent I. Marella

Marc E. Masters  
A. Howard Matz  
Jeremy D. Matz  
Sharon Mayer  
Ronald J. Nessim  
Ariel A. Neuman  
Gopi K. Panchapakesan  
Thomas V. Reichert

Ekwan E. Rhow  
Naeun Rim  
Oliver Rocas  
Ray S. Seilie  
Kate S. Shin  
Naomi S. Solomon  
Jimmy S. Threatt

Nicole R. Van Dyk  
Hernan D. Vera  
Fanxi Wang  
Dorothy Wolpert  
Timothy B. Yoo  
Kimmy Yu

- c) All communications exchanged between the EPA and any other parties relating to LABP.
- 3) All documents and records relating to CalMat, including but not limited to the following:
  - a) All internal communications within the EPA relating to CalMat;
  - b) All communications exchanged between the EPA and CalMat; and
  - c) All communications exchanged between the EPA and any other parties relating to CalMat.
- 4) The May 8, 1981 Inquiry Into the Contents of the Hewitt Pit Sanitary Landfill from Jack Betz of the Los Angeles Department of Water and Power ("LADWP").
- 5) The 1993 General Notice Letters from the EPA to LABP, CalMat, and/or other Potentially Responsible Parties ("PRP"), and any responses from CalMat.
- 6) The July 1, 2010 Special Notice Letters from the EPA to LABP, CalMat, and/or other PRPs, and any responses from CalMat.
- 7) The following pleadings, which are not available from the court, filed in *United States of America v. Allied-Signal Inc., et al.*, Case No. 2:93-cv-06490-MRP-T, filed in the United States District Court, Central District of California, on October 26, 1993:
  - a) Docket No. 29 – Filed 09/23/1994 – NOTICE OF DISMISSAL by plaintiff Los Angeles By-Products Co. pursuant to FRCP 41a(1) voluntarily dismiss the cause of action against Pacific Energy Inc a California Corp only without prejudice.
  - b) Docket No. 33 – Filed 10/04/1994 – PRAECIPE: in re issuance on ex claim.
  - c) Filed 11/21/1994 – LODGED/PROPOSED Order granting leave to file first amended and supplemental third party complaint
  - d) Filed 11/21/1994 – LODGED first amended and supplemental third party complaint. third party submitted by third-party plaintiff CA Car Hikers Svc
  - e) Docket No. 127 – Filed 07/12/1995 – FIRST AMENDED ANSWER by cross-defendant Parker-Hannifin Corp. [124-1] to cross-claims of Incheape Inc.
  - f) Docket No. 157 – Filed 09/28/1995 – FIRST AMENDED COMPLAINT [1-1] by plaintiff USA; adding Niels Bruun Andersen, Calmat Co., William L Cooke, Jerry Conrow, Fleetwood Machine, Lockheed Air, Lockheed Corporation, Pacific Steel Treat, Pick-Your-Part Auto, Waste Mgmt Recycling.
  - g) Docket No. 163 – Filed 10/16/1995 – AMENDED PROOF OF SERVICE by defendant Allied-Signal Inc of answers to plaintiffs US First amended complaint.



- h) Docket No. 210 – Filed 04/11/1996 – ANSWER TO THIRD PARTY COMPLAINT [202-1] by third-party defendant Chase Chemical Co.
- i) Filed 02/18/1997 – LODGED 2nd partial consent decree submitted by plaintiff USA.
- 8) The following pleadings, which are not available from the court, filed in *The State of California v. Allied-Signal Inc., et al.*, Case No. 2:93-cv-06570-MRP-T, filed in the United States District Court, Central District of California, on October 29, 1993:
  - a) Docket No. 16 – Filed 08/22/1994 – THIRD-PARTY COMPLAINT: by defendant LA By-Products Co; adding Pacific Energy, Conejo Enterprises, Crown Disposal Comp, Western Waste Ind, Price Pfister Inc, H R Trextron Inc, Browning-Ferris Ind, Ricon Corp, Metal Improvement, Curtiss-Wright Corp, AVX Filters Corp, E I DuPont De Nemour.
  - b) Docket No. 66 – Filed 05/01/1995 – COUNTERCLAIM by third-party defendant Electronic Solutions, third-party defendant Zero Corp against third-party plaintiff Gordon N Wagner, third-party plaintiff Peggy M Wagner, third-party plaintiff Joseph W Basinger.
  - c) Docket No. 67 – Filed 05/01/1995 – ANSWER TO THIRD PARTY COMPLAINT of Gordon N. Wagner and Peggy M. Wagner, in their capacity as trustees of the Wagner Living Trust; and Joseph Basinger [13-1] by third-party defendant Electronic Solutions, third-party defendant Zero Corp.
  - d) Docket No. 68 – Filed 05/01/1995 – THIRD-PARTY COMPLAINT: by third-party plaintiffs Electronic Solutions, and Zero Corp;(agnt) adding Hawker Pacific Inc.
  - e) Docket No. 69 – Filed 05/01/1995 – CROSSCLAIM by third-party defendants Electronic Solutions, and Zero Corp against third-party cross-defendants Parker Hannifin Inc, and Inchcape Inc.
  - f) Docket No. 80 – Filed 05/12/1997 – SECOND PARTIAL CONSENT DECREE.
- 9) The 2018 Settlement Agreement entered into between Lockheed Martin and LADWP.
- 10) All settlement agreements entered into between Honeywell and LADWP and/or LABP.
- 11) All correspondence from Honeywell to CalMat and/or LABP around February 2014 concerning the Second Interim Remedy for the North Hollywood Operable Unit (“NHOU”) of the San Fernando Valley Superfund Site.

- 12) Documents evidencing payments made by CalMat to the EPA for the 1996 Partial Consent Decree concerning the NHOU, including but not limited to check copies, receipts, invoices, and wire transfer confirmations.
- 13) Documents evidencing payments made by CalMat to the EPA for the August 2008 Settlement Agreement for Recovery of Response Costs concerning the NHOU, including but not limited to check copies, receipts, invoices, and wire transfer confirmations.

Any responsive documents should be mailed or e-mailed to:

Joyce J. Choi  
Bird, Marella, Boxer, Wolpert, Nessim, Dooks, Lincenberg & Rhow, P.C.  
1875 Century Park East, 23<sup>rd</sup> Floor  
Los Angeles, CA 90067  
[jchoi@birdmarella.com](mailto:jchoi@birdmarella.com)

We agree to pay all reasonable costs in connection with this request, up to a limit of \$1,000. If you estimate that fees will exceed this limit, please contact me prior to proceeding.

Thank you in advance for your attention to this matter.

Very truly yours,



Joyce J. Choi